

## **AMENDMENTS TO THE CLAIMS**

This listing of claims replaces all prior versions, and listings, of claims in the application:

### **Listing of Claims:**

Claims 1 and 2. (Cancelled).

Claim 3. (Currently Amended) A radio base station comprising a traffic control unit, the traffic control unit comprising:

receiving means for receiving data;

traffic control means for carrying out traffic control of the data received by said receiving means; and

transmission means for transmitting the data passing through the traffic control by said traffic control means,

wherein said traffic control means carries out traffic control of data to be transmitted to a local switch through a transmission path between the radio base station and the local switch for transmitting data between the radio base station and the local switch, from among the data received by said receiving means, and

said traffic control means carries out the traffic control by discarding data unconformable to a traffic condition, or regulating transmission of the data unconformable to the traffic condition to meet the traffic condition,

wherein said data takes place in a burst mode at intervals inherent in ~~proper to~~ the data, and wherein said traffic control means carries out, for the data received by said receiving means,

the traffic control such that a cumulative transmission volume in a traffic monitoring period defined by taking account of said intervals inherent in ~~proper to~~ the data does not exceed a volume based on a traffic rate.

Claim 4. (Currently Amended) A traffic control unit configured to carry ~~for carrying~~ out traffic control of data taking place in a burst mode at intervals ~~proper to the data~~, the interval being inherent in the data, said traffic control unit comprising:

receiving means for receiving the data[:];

traffic control means for carrying out the traffic control for the data received by said receiving means such that a cumulative transmission volume in a traffic monitoring period ~~defined by taking account of said intervals proper to the data~~ does not exceed an allowed transmission volume, the traffic monitoring period being adjustably determined based on said interval inherent in the data, the allowed transmission volume being determined based on a traffic rate of the data; and

transmission means for transmitting the data controlled by said traffic control means.

Claim 5. (Currently Amended) The traffic control unit as claimed in claim 4, wherein said traffic control means carries out, for the data received by said receiving means, peak traffic control such that a cumulative transmission volume in a peak traffic monitoring period defined by taking the account of said intervals inherent in ~~proper to~~ the data does not exceed an allowed transmission volume based on a peak traffic rate, and sustainable traffic control such that a cumulative transmission volume in a sustainable traffic monitoring period

defined by taking the account of said intervals inherent in ~~proper to~~ the data does not exceed an allowed transmission volume based on a sustainable traffic rate.

Claim 6. (Currently Amended) The traffic control unit as claimed in claim 5, wherein said sustainable traffic control is carried out by starting a new ~~sliding the~~ sustainable traffic monitoring period ~~[[at]]~~ every time the peak traffic monitoring period starts.

Claim 7. (Currently Amended) The traffic control unit as claimed in claim 5, wherein said peak traffic control period is equal to said interval inherent in ~~intervals proper to~~ the data, and said sustainable traffic control period is equal to n times said interval inherent in ~~intervals proper to~~ the data, where n is a natural number.

Claim 8. (Currently Amended) The traffic control unit as claimed in claim 4, wherein said data consists of ATM cells generated from a radio frame, and said interval inherent in ~~intervals proper to~~ the data equals a radio frame period.

Claim 9. (Cancelled).

Claim 10. (Currently Amended) A traffic control method for carrying out traffic control of data taking place in a burst mode intervals, the interval being inherent in ~~proper to~~ the data, said traffic control method comprising the steps of:

receiving the data;

carrying out the traffic control for ~~[[of]]~~ the data received such that a cumulative transmission volume in a traffic monitoring period ~~defined by taking account of said intervals proper to the data~~ does not exceed an allowed transmission volume, the traffic monitoring period being adjustably determined based on said interval inherent in the data, the allowed transmission volume being determined based on a traffic rate of the data; and

transmitting the data passing through said traffic control.

Claims 11-19. (Cancelled).

Claim 20. (Previously Presented) The radio base station as claimed in claim 3, wherein said traffic condition is a condition that an amount of data transmitted by a user does not exceed a predetermined amount.

Claims 21-26. (Cancelled).